

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

J

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/20/10

IN RE SEPTEMBER 11 PROPERTY DAMAGE
AND BUSINESS LOSS LITIGATION

X : 21 MC 101 (AKH)

:
: (This Motion relates to:
: 02 CV 2987; 03 CV 0131;
: 04 CV 4577; 04 CV 6848;
: 04 CV 7136; 04 CV 7199;
: 04 CV 7225; 04 CV 7231;
: 04 CV 7234; 04 CV 7238;
: 04 CV 7240; 04 CV 7241;
: 04 CV 7244; 04 CV 7246;
: 04 CV 7248; 04 CV 7272;
: and 04 CV 7294)

X

**NOTICE OF MOTION FOR AN ORDER REQUIRING
WORLD TRADE CENTER PROPERTIES TO POST AN APPEAL BOND**

PLEASE TAKE NOTICE that Settling Plaintiffs, by their undersigned counsel, will move the United States District Court, before Judge Alvin K. Hellerstein at the United States Courthouse, Courtroom 14D located at 500 Pearl Street, New York, New York 10007-1312, at a date and time to be set by the court, for an Order Requiring World Trade Center Properties to post an appeal bond under Rule 7 of the Federal Rules of Appellate Procedure in the amount of \$161,640,000.

In support of its motion for an appeal bond, Settling Plaintiffs will rely on the Declaration of Robert A. Clifford and Memorandum of law submitted therewith.

att *My office does not believe that appellant
lacks or no reason to believe that appellant
could not or would not pay appellee's costs.
I do not find any bad faith or vexatious
conduct on appellant's part. See FRAP 7.*
8-20-10
Alvin K. Hellerstein

Dated: Chicago, Illinois
August 19, 2010

Respectfully submitted,

CLIFFORD LAW OFFICES, P.C.

By: /s/Robert A. Clifford
Robert A. Clifford (RC 9805)
120 North LaSalle Street, 31st Floor
Chicago, Illinois 60602
Telephone: (312) 899-9090
Fax: (312) 251-1160
rac@cliffordlaw.com

Settling Plaintiffs' Liaison Counsel

Judge Hellerstein wrote:

"Motion denied. There is little or no reason to believe that appellant could not or would not pay appellee's costs. I do not find any bad faith or vexatious conduct on appellant's part. See FRAP 7.

8-20-10

Alvin K. Hellerstein"